

McGREGOR W. SCOTT
United States Attorney
KRISTI C. KAPETAN
Assistant U.S. Attorney
4401 Federal Building
2500 Tulare Street
Fresno, California 93721
Telephone: (559) 497-4036

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

TAMI WENZEL,)	1:02-CV-6210 REC LJO
)	
Plaintiff,)	STIPULATION AND ORDER
)	AWARDING EAJA ATTORNEY FEES
v.)	
)	
JO ANN B. BARNHART,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED by the parties, through their undersigned counsel, subject to the approval of the Court, that counsel for plaintiff be awarded attorney fees under the Equal Access to Justice Act in the amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$7,500.00). This amount represents compensation for legal services rendered on behalf of plaintiff by counsel in connection with this civil action for services performed before the District Court and for services performed before the Ninth Circuit Court of Appeals (Court of Appeals Case NO. 04-16115) in accordance with 28 U.S.C. § 2412(d).

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1 This stipulation constitutes a compromise settlement of
2 plaintiff's request for EAJA attorney fees and does not constitute
3 an admission of liability on the part of defendant under the EAJA.
4 Payment in the aforementioned sum under EAJA shall constitute a
5 complete release from and bar to any and all claims, rights,
6 causes of action, liens or subrogated interests relating to
7 attorneys fees incurred in this action under EAJA.

8 The settlement of plaintiff's claim for EAJA attorney fees
9 does not preclude plaintiff's counsel from seeking attorney fees
10 under 42 U.S.C. § 406(b) of the Social Security Act, subject to
11 the offset provisions of the law.

12 Respectfully submitted,

13 Dated: October 3, 2006

14 /s/ Dennis M. Bromberg
(As authorized via facsimile)
15 DENNIS M. BROMBERG
Attorney for Plaintiff

16 Dated: October 4, 2006

17 MCGREGOR W. SCOTT
18 United States Attorney

19 /s/ Kristi C. Kapetan
20 KRISTI C. KAPETAN
21 Assistant U.S. Attorney

22 IT IS SO ORDERED.

23 **Dated: October 4, 2006**
24 66h44d

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE